

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

September 15, 2003

PRESENT: Mark Decker
Don Hoefler
Andy Kelkenberg
Rick Meahl
Terry Janicz
Rebecca Baker, Zoning Officer
Christine Falkowski, Planning Board Clerk

The meeting was called to order by Mark Decker at 7:35 PM.

Preliminary Site Plan Review – Akron Airport – Equipment Storage Building

Wayne Wegman and Mary Kay Genthner of Passero Associates were present. The 45x50 pre-engineered metal storage building is an approved use in current and proposed zoning. Distance between buildings for fire code for accessory buildings is 20'. This shed will be 25 – 30' from nearest building. The Building Inspector should review this, and the Fire Company should be consulted. Drainage will follow the crevices of the rock, and they have put in a 30" perforated pipe to the caves. Terry motioned to approve the site plan contingent upon review by Frank Trybuskiewicz, seconded by Don, and all approved.

Change in Use – Main Road – Tanning Salon

Ken of Ken's Contracting and the VanBuren's (Bonnie, Carol and Jerry) attended. The plan for eight tanning booths has been reduced to four. Based on the new square footage of 810, required parking spaces for the building (Curves and tanning) is 16. The requested parking plan was submitted, and it shows 19 spaces. Curves is not always open, whereas the Tanning Salon plans to be open 9AM – 9PM. Don motioned to approve recommendation to the Town Board, seconded by Rick and all approved. During remodeling, the Building Inspector will ensure that the parking is striped as documented, and that one spot is marked "handicapped".

Minor Subdivision Application - 1 lot on McNeeley Road – Jim Young, Jr.

The Young's sold a lot to Jozwiak in 2002 with the condition that she deed it to her adjoining parcel. Since she has not done that, it currently counts as two lots. The Building Dept. sent her a letter on 9/3 stating that if the lots are not merged, she must apply for a minor subdivision. She responded that she is weighing the cost of both options. Aside from that, this split would leave two lots on either side of it. In order to avoid a multiple lot subdivision, the two lots on either side could be connected with a 10' strip of land to the rear property line. A revised survey was submitted. Don motioned to approve the subdivision based on the revised survey, seconded by Rick and all approved. Mr. Young cannot subdivide another lot for two more months.

Revised Site Plan – Barnum Road – Northern Whitetail Scents

The revised site plan was submitted showing one handicapped parking spot and relocation of a pond. The plan shows two signs, but Mr. Vacanti stated there will only be one. The sign is larger than 2 square feet, but is allowed according to Section 72-9 (5), which states that a sign is allowed in agricultural districts that advertises the product, not exceeding 12 square feet. "Northern Whitetail Scents" is the wording on the sign, and the product is scent. Andy motioned to approve the revised site plan, seconded by Rick and all approved.

Minor Subdivision Application – 1 lot on Clarence Center Road – Monachino

Michael Monachino is splitting off a 150 x 580 lot on Clarence Center Road and selling it as a building lot. The number of splits has been checked and approved. Drainage will be to the rear of the property and to the road. Andy motioned to approve the subdivision, seconded by Terry and all approved.

Minutes Review – Andy motioned to approve the minutes from August 18th as amended, seconded by Rick and all approved.

Zoning Report - was reviewed and discussed. Do we want to add "construction yard" to zoning code?

OLD BUSINESS

Change in Use Site Plan (storage building/fellowship hall) – Main Road – John Smith – Christine reported that Erie County Health called on September 10th to report the current septic system as unapproved. Also, Faith Fellowship has hired an engineer to design an approved system. We are also waiting for a revised site plan showing 50 dedicated parking spots for the hall and a copy of the lease agreement.

Subdivision/Flaglot Ordinance

Christine distributed a memo received today from Drew Reilly relative to Route 5, Flag Lots, Special Use Permits and Overlay Zoning Districts. This will be reviewed at the next meeting.

Minor Subdivision Code/Drainage

May need to rewrite portion to guarantee drainage/ditches are considered as part of the process. Looking at drainage one lot at a time is no longer adequate.

Michael Schmidt Subdivision (approved)

“Ditch” is a Class C stream and is a regulated water body. Can only be disturbed with a joint permit from the DEC and Army Corps of Engineers. Also the adjacent landowner on Keller Road (in the town of Clarence) is upset with the variance approval, as she feels Mr. Schmidt’s driveway access will conflict with her future driveway.

AT&T Cell Tower – Rapids Road

The height has been revised to 199’ with no lighting. The variance decision was scheduled for the Zoning Board tomorrow night, but AT&T has requested postponement until October 21st. We will table our recommendation until our October 6th meeting.

Lateral Restrictions for New Water Lines

Tom has requested a set of written guidelines from Nathan. This will be added to the criteria for reviewing subdivision requests.

Andy motioned to adjourn the meeting at 9:20 PM, seconded by Terry and all approved.

Respectfully submitted by,
Christine Falkowski, Recording Secretary